

## **DETAILED ACTION**

### ***Response to Arguments/Amendments***

1. This Office action is responsive to the amendment filed on July 25, 2011. Claims 1-4, and 6-11 are pending. Claims 2, 4, 7, and 8 have been amended, and Claims 5 and 12-24 have been canceled. Claims 1, and 9-11 are withdrawn from further consideration.
2. The rejections of Claims 2-7, 16, 22, and 24 under 35 U.S.C. 112, second paragraph, as being indefinite are withdrawn in response to Applicant's amendments. Note Claim 8 maintains a rejection as being indefinite because the phrases “the weight differenced” and “the washing water levels set thus” appears to lack proper antecedent basis. There does not appear to be any previous washing water level set or determination of weight.
3. The rejection of claims 12-16 and 18-23 under 35 U.S.C. 102(b) as being anticipated by Moschuetz (EP 0911710) is withdrawn in response to Applicant's amendments.
4. The rejection of Claim 17 under 35 U.S.C. 103(a) as being unpatentable of Moschuetz is withdrawn in response to Applicant's amendments.
5. The rejection of Claims 2-6 and 24 under 35 U.S.C. 103(a) as being unpatentable over Moschuetz in view of Koenck et al. (US 6,749,122) is withdrawn in response to Applicant's amendments.
6. The rejection of Claims 7 and 8 under 35 U.S.C. 103(a) as being unpatentable over Moschuetz, in view of Koenck, and further in view of Lee (US 5,388,299) is withdrawn in response to Applicant's amendments.

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7. In response to Applicant's amendments, new/modified ground(s) of rejection are presented below.

***Claim Objections***

8. Claim 8 is objected to because of the following informalities: the phrase "weight differenced" appears to have a typographical error. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 2-4 and 6-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding Claim 2, there does not appear to be original support for "an information comparing step for *comparing user input information with the obtained information to determine whether the user input information matches the obtained information*, if the user inputs information on the particulars of the pieces of laundry." Rather, there does appear to be support for a user comparing particulars and making a confirmation, but the user does not supply user input information which can be compared to obtained information (specification, page 8, lines 13 through page 9, line 1). There is also a step of the user revising particulars which are not the

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same, but the control unit sets the operation with reference to the revised particulars, and does not appear to perform an information comparing step as recited (specification, page 9, lines 9-25)

11. Further regarding Claim 2, there does not appear to be original support for an operation setting step for setting operation of each cycle based on the obtained information if the user input information matches the obtained information and setting operation of each cycle based on the *user input information and the obtained information* if the user input information does not match the obtained information. Rather, there does appear to be support for setting the operation of each cycle with reference to only information obtained by the reader unit or setting the operation with reference to only revised information (S140, S150).

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claims 2-4, and 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

14. Regarding Claim 2, the phrase “an information comparing step for comparing user input information with the obtained information to determine whether the user input information matches the obtained information, if the user inputs information on the particulars of the pieces of laundry” is indefinite. First, it is unclear how there is an information comparing step for comparing user input information if the user has already made the comparison and has not input information on the particulars of the pieces of laundry. See the phrase “an information request step for requesting the user to determine whether the particulars displayed thus is the same...” which appears to indicate the user is making the comparison and merely providing a

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confirmation. If the user has made the comparison already, and has not provided input information, but only a confirmation, it is unclear how there is a comparison of user input information with the obtained information. Secondly, it would appear that the “user input information” does not have proper antecedent basis, as the user has only determined whether particulars displayed are the same with particulars introduced. Note Claim 4 has a similar issue in that the information request step appears to be a comparison step where the user only provides a confirmation.

15. Claim 8 is indefinite because the phrases “the washing water levels set thus” and “the weight differenced” appears to lack proper antecedent basis. There does not appear to be any previous washing water level set or determination of weight.

### ***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**17. Claims 2-4, and 6-8, as best as they are understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Moschuetz (EP 0911710) in view of Koenck et al. (US 6,749,122).**

18. Regarding Claim 2, Moschuetz discloses a washing method comprising an information obtaining step for obtaining information on washing of pieces of laundry from information tags respectively of entire laundry introduced to an inside of a drum (abstract; machine translation,

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paragraph 9). Moschuetz further discloses that subsequent treatment of the laundry is determined according to the information read from the tags (“transponder”; see abstract). The household appliance can select optimum temperature, wash or dry duration, appropriated dosage of water and detergents (machine translation, paragraphs 10 and 11) and display recommendations. If the selected treatment is not desired by the user, it can become aborted (machine translation, paragraph 12).

19. Moschuetz does not expressly disclose an information displaying information on particulars of the pieces of laundry in the information obtained thus; an information request step for requesting the user to determine whether the particulars displayed thus is the same with particulars of laundry having the user introduced thereto actually, or not; an information comparing step for comparing user information with the obtained information to determine whether the user input information matches the obtained information, if the user inputs information on the particulars of the pieces of laundry; and an operation setting step for setting operation of each cycle based on the obtained information if the user input information matches the obtained information and setting operation of each cycle based on the user input information and the obtained information if the user input information does not match the obtained information.

20. Koenck discloses an invention related to data collection and processing systems including hand held data collection terminals (col. 1, lines 33-39). Data may be read in automatically by scanning indicia of information with a scanner (col. 1, lines 40-43). In one embodiment, Koenck discusses a scanner device (Figure 11, 75) including a scanner head (77), keyboard (78), and a display (79). The display is desirably an LCD display and is typically functional to display

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numeral or characters in a human-readable format of codes read by the scanner head. An operator may then verify the data prior to transmitting them to a data terminal device (39). In case of an error in the data read by the scanner head (77), or in case of an inability of the scanner head (77) to recognize the codes representing the data to be read, an operator may correct, override or enter data into the device and verify their correctness from the display. Figure 11; col. 19, line 29 through col. 20, line 23.

21. Because it is known in the art that automated scanners may have errors in reading data or an inability to read data and the data should be displayed to an operator to be verified and manually corrected in the case of errors, and the results of the modification would be predictable, namely, allowing an operator to verify and correct information if desired, ensuring the laundry is treated appropriately, it would have been obvious to one of ordinary skill in the art at the time of the invention to display information on particulars of the pieces of laundry in the information obtained thus, and requesting the user to determine whether the particulars displayed thus is the same with particulars of laundry having the user introduced thereto actually, or not. Regarding the limitations directed to the “information comparing step” and the “operation setting step,” those limitations are conditional steps based upon the condition of “if the user inputs information on the particulars of the pieces of laundry.” In the case of Moschuetz, the disclosure is directed to a washing machine in which reading of a transponder to determine information about textile products is automated. The user of the Moschuetz device would have only two choices if prompted to verify and correct the information, namely, rely upon the automated features, or seek to intervene. Because the washer is automated, and the user would only have two choices, it would have been obvious to one of ordinary skill in the art at the time of the invention to not

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supply the user input information at all. In this case, there would be no steps of "information comparing" or "operations setting," and Moschuetz would not have to anticipate these steps as they would not even occur. Because it is considered obvious for the steps not to occur, they are considered optional and not considered to define over Moschuetz.

22. Claims 3, and 6-8 are considered to be taught by Moschuetz in view of Koenck as above.

23. Regarding Claim 3, Moschuetz discloses information on a cycle temperature (machine translation, paragraphs 15 and 18).

24. Claims 6-8 are part of the "information comparing step" and "operation setting step," which as discussed above are considered optional and obvious not to perform, thus they do not define over Moschuetz in view of Koenck.

25. Regarding Claim 4, Moschuetz in view of Koenck is relied upon as above but does not expressly disclose wherein the information request step includes the step of inducing the user to select a specific button for confirmation of the particulars of the laundry the same or not; however, this would read on simply using an enter key on a keyboard which is old and well-known way of confirming or entering data, and therefore would have been obvious to one of ordinary skill in the art to do so.

### *Conclusion*

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CORMIER whose telephone number is (571)270-7386. The examiner can normally be reached on Monday - Thursday 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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